

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)



REC'D 16 MAR 2006

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Applicant's or agent's file reference PCT05H0007	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/KR2004/002840	International filing date(day/month/year) 04 NOVEMBER 2004 (04.11.2004)	Priority date (day/month/year) 06 NOVEMBER 2003 (06.11.2003)
International Patent Classification (IPC) or national classification and IPC G06Q 30/00(2006.01)i		
Applicant PARK, Jong-do		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 3 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 15 APRIL 2005 (15.04.2005)	Date of completion of this report 27 JANUARY 2006 (27.01.2006)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer LEE, Dong Young Telephone No. 82-42-481-5784 

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/KR2004/002840

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☒ This report is based on translations from the original language into the following language English which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☒ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ the international application as originally filed/furnished
- ☐ the description:
 pages _____ as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
- ☐ the claims:
 pages _____ as originally filed/furnished
 pages* _____ as amended (together with any statement) under Article 19
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
- ☐ the drawings:
 pages _____ as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
- ☐ the sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/KR2004/002840

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-26	YES
	Claims	None	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-26	NO
Industrial applicability (IA)	Claims	1-26	YES
	Claims	None	NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents from the International Search Report:
D1 : KR 2003-0073300

1. Novelty(N)

Claims 1-26 conform to the regulations in Article 33 (2) of PCT; therefore, they are considered to be novel.

2. Inventive Step(IS)

The present invention is characterized by the fact that a cell phone chain store obtains an advertisement effect and the cell phone user can use message free-of-charge. To achieve those advantages, a user purchases the right of free-using for the message, distributes it to the cell phone users and the cell phone user received the right of free-using for the message uses the message, attaching the advertisement message related to the chain stores when sending a message to the target person.

D1 discloses a technical feature that an advertiser provides a cell phone user with a message using right and the cell phone user uses the message using right attached with an advertisement of the advertiser whenever the user uses.

Although there is a little difference in a sense of verifying process between the two devices compared with the present invention, the main commercial model agrees with each other and the difference in verifying process is just a common variation of the structure. Therefore, the claimed device lacks an inventive step.

3. Industrial Applicability(IA)

Claims 1-26 conform to the regulations in Article 33 (4) of PCT; therefore, they possess industrial applicability.